

Cohen, Dippell and Everist, P.C.

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re Petition of)	
NATIONAL TRANSLATOR)	
ASSOCIATION)	
Westminster, Colorado)	
)	RM-10666
For Amendment of Part 74 of the)	
Commission's Rules to Add a Rural)	
Translator Service)	

PETITION FOR RULE MAKING

These comments are submitted on behalf of Cohen, Dippell and Everist, P.C. ("CDE") and are in response to the Petition of the National Translator Association's request for amendment of Part 74 of the Commission's Rules to add rural translator service ("Petition").

Cohen, Dippell and Everist, P.C., or its predecessors, is a consulting engineering firm that have been providing consulting engineering services to its clients since 1937. CDE is familiar with the difficulty in bringing off-the-air television service to outlying areas of the United States. Therefore, CDE supports the concept of establishing a procedure which will permit the introduction of television service to areas that do not now receive off-the-air television service.

The Petition proposes the normally protected contour as that currently defined in the FCC Rules. The Petition defines the area that is to be considered as being available for rural translator service. Further, the Petition sets forth the processing, eligibility, technical limitations, programming

requirement and modification. CDE supports the above as outlined in this Petition except with reference to self-certification provision with an ERP of one-tenth or less and the suggestion that these filings should only be limited to commercial network stations. Therefore, support is not provided on self-certification and it is urged that a similar equitable provision to educational service be considered.

CDE urges that in the instances of non-commercial full-service stations' service that a similar provision be considered in order to implement educational service to underserved off-the-air areas. Such requirement for qualification of the area could be that area that does not receive service from two or more Grade B signals of primary educational full-service stations. Adoption of a provision which provides latitude to provide off-the-air educational service is encouraged.

It is further recommended that the use of the Longley-Rice terrain dependant model yield comparable results to that when the Commission performs the assessment. For a variety of reasons, various versions of Longley-Rice methodology do not yield comparable results and therefore to conserve valuable FCC resources the Longley-Rice model to be used in any filing should yield comparable results to the current FCC Longley-Rice model.

CDE also urges an adoption of a process which does not result in a multitude of speculative applications so that actual off-the-air service results.

In summary, CDE supports the Petition to provide television off-the-air service to underserved areas with the exceptions noted above.

Respectfully Submitted,

COHEN, DIPPELL AND EVERIST, P.C.

Donald G. Everist
President

Date: May 16, 2003

